

**REMARKS / ARGUMENTS**

In the application, no claims currently stand allowed and claims 1-27 stand rejected. Claims 1, 3-6, 8-11, and 13-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,202,207 to Donohue ("Donohue"). Claims 2, 7, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Donohue in view of statements of "Official Notice" in the Office action regarding the state of the art at the time the invention was made.

Independent claims 1, 5, 6, 10, 11, 15, 16, 19, 20, 23, 24, and 27 and dependent claims 2, 7, and 12 have been amended to specify that the updating is performed on "content in an electronic document."

Before turning to the specific claim language, the Applicants believe a short synopsis of the invention might be useful. The specification teaches in particular embodiments a method for allowing an administrator to automatically update a rights management protected message and / or rights management protected documents attached to that message as it passes through a message transfer agent. As is explained on page 5 of the specification, at paragraph 9, the administrator may determine either on a regular interval or an ad-hoc basis that the message transfer agent scan the messages stored to determine whether or not the content has expired. If the content has indeed expired the administrator may take steps to have the expired content deleted entirely, refreshed with more current content, or replaced with a "tombstone" indicating that the original content has expired.

In contrast to the Applicant's invention, the Donohue reference teaches a method and mechanism for automatically updating computer programs and synchronizing updates of

computer programs and their pre-requisite programs to maintain interoperability. The method and mechanism in Donohue is practiced exclusively within the context of computer software.

The Office action references column 4, lines 50-54 and column 5, lines 35-62 as teaching the updating of a piece of data based on a persisted policy scheme. Even if one were to accept this statement, the updating in Donohue is explicitly contemplated with respect to upgrading or patching software (i.e., computer programs).

Accordingly previously pending independent claims 1, 5, 6, 10, 11, 15, 16, 19, 20, 23, 24, and 27 and previously pending dependent claims 2, 7, and 12 have been amended to clarify that the updating of the present invention is performed on “content in an electronic document.”

Applicants’ amended claims require that the updating occurs on the content of an electronic document in accordance with the persisted policy. Content that has expired is deleted entirely, refreshed with more current content, or replaced with a tombstone indicating that the original content has expired. Such an arrangement is not described or even remotely suggested by the Donohue reference, nor is it suggested by the combination of the Donohue reference with the statements in the Office action of “Official Notice.” This is necessarily true as the method of Donohue does not teach any type of rights management application to electronic documents, but rather always results in the upgrading or patching of installed software. The fact that e-mail is well known in the art as a communication medium similarly does not suggest the method of policy based updating of content in electronic documents either. At most, the teachings of the Donohue reference can only be extended to a method of upgrading or patching e-mail or similar document creation/management software applications. Such a method has nothing to do with updating expired content of an electronic document in accordance with a persisted policy.

All of the pending claims now either include language explaining that the updating is performed on content in an electronic document or depend from claims that include such language. Therefore, the Applicants submit that the rejections in the Office action have been rendered moot. As this technique for updating data in accordance with a rights management policy is not discussed in, nor suggested by, the cited art, the Applicants further submits that all of the pending claims are now allowable.

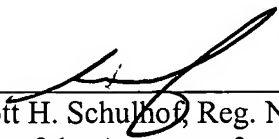
In re Appln. of SPEARE et al.  
Application No. 10/806,779  
Response to Office action of September 1, 2004

**CONCLUSION**

The application is considered to be in good and proper form for allowance, and the examiner is respectfully requested to pass this application to issue.

If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Scott H. Schulhof, Reg. No. 53,568  
One of the Attorneys for Applicants  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

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